

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Authorize binding written offers/offers of judgment

**DEPARTMENT:** County Attorney's Office

**DIVISION:** Property Acquisition

**AUTHORIZED BY:** Lola Pfeil

**CONTACT:** Sharon Sharrer

**EXT:** 7257

**MOTION/RECOMMENDATION:**

Authorize binding written offers/offers of judgment relating to the Chapman Road improvement project for Parcel Numbers 708, 109, 110, 111, 112, 115, 715, 116, 117, 118, 121, 134, and 148.

District 1 Bob Dallari

Robert A. McMillan

**BACKGROUND:**

see attached

**STAFF RECOMMENDATION:**

Staff recommends that the Board authorize binding written offers/offers of judgment relating to the Chapman Road improvement project for Parcel Numbers 708, 109, 110, 111, 112, 115, 715, 116, 117, 118, 121, 134, and 148.

**ATTACHMENTS:**

1. Chapman Road

<b>Additionally Reviewed By:</b> No additional reviews
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**COUNTY ATTORNEY'S OFFICE  
MEMORANDUM**

TO: Board of County Commissioners

THROUGH: Matthew G. Minter, Deputy County Attorney

FROM: Neil Newton, R/W-NAC, Major Projects Acquisition Coordinator  
Ext. 5736

CONCUR: Antoine Khoury, P.E. / Assistant County Engineer

DATE: February 13, 2009

RE: Chapman Road Improvement Project  
Binding Written Offers/Offer of Judgment

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This Memorandum requests authorization by the Seminole County Board of County Commissioners (BCC) to make binding first written offers/offers of judgment as to the parcels and at the amounts set forth below:

**I THE PROPERTY**

The subject parcels are located on Chapman Road. Chapman Road extends from SR 426 to SR 434. See Location Map attached as Exhibit "A".

**II AUTHORITY TO ACQUIRE**

The BCC adopted Resolution No. 2008-R-140 on June 10, 2008 and Resolution No. 2008-R-197 on August 12, 2008, authorizing the acquisition of the subject parcels, and finding that the improvements are necessary and serve a County and public purpose and are in the best interests of the citizens of Seminole County.

**III ACQUISITIONS AND REMAINDERS**

N/A

**IV APPRAISED VALUES**

Clayton, Roper & Marshall, Inc. completed appraisals for the below-referenced parcels. County staff reviewed and approved the appraisals.

## **V PROPERTY OWNERS/APPRaised VALUES**

<b>PARCEL NOS.</b>	<b>PROPERTY OWNER</b>	<b>PROPERTY TO BE ACQUIRED</b>	<b>COUNTY'S APPRAISED VALUE</b>	<b>PROPOSED OFFER</b>
708	Chapman Lakes Phase I Homeowners Association, Inc.	2,100 sf	\$ 10,100.00	\$ 12,000.00
109	Francis X. Mazelin and Darlene E. Mazelin	1,630 sf	\$ 27,400.00	\$ 29,000.00
110	James K. Bread and Mercedes H. Bread	991 sf	\$ 14,200.00	\$ 16,000.00
111	Jean A. Nelson	1,335 sf	\$ 18,900.00	\$ 20,500.00
112	Gregory A. Boyd and Aida A. Boyd	1,945 sf	\$ 27,450.00	\$ 29,000.00
115	Thao Phuong Tran and Long Tran	0.577 ac	\$ 46,600.00	\$ 63,000.00
715	Thao Phuong Tran and Long Tran	464 sf	\$ 1,800.00	\$ 2,000.00
116	Luis R. Nieves and Jennie R. Nieves	1,645 sf	\$ 6,740.00	\$ 11,000.00
117	Luis R. Nieves and Jennie R. Nieves	3,370 sf	\$ 20,500.00	\$ 27,000.00
118	Raul R. Rico and Sonia P. Rico	3,148 sf	\$ 19,000.00	\$ 24,000.00
121	Nutmeg Farms, Inc.	0.535 ac	\$136,500.00	\$150,000.00
134	Donald Gallagher Trust	1,662 sf	\$ 18,500.00	\$ 24,000.00
148	Oak Creek Homeowners Association, Inc.	107 sf	\$ 2,000.00	\$ 3,000.00
<b>TOTAL</b>			<b>\$349,690.00</b>	<b>\$410,500.00</b>

## **VI SETTLEMENT ANALYSIS/COST AVOIDANCE**

The County is required to extend a written offer/offer of judgment to a property owner prior to filing suit to acquire property through eminent domain. The proposed binding offer amounts are at/over the appraised values. The written offer/offer of judgment also acts as a limitation on attorney's fees if the property owner retains an attorney.

## **VII RECOMMENDATION**

County staff recommends that the BCC authorize binding written offers/offers of judgment at the amounts stated above.

NN/dre/lpk  
Attachment  
Location Map

P:\Users\Dedge\My Documents\Mem\Agenda Item Chapman Bwo.Doc

# CHAPMAN ROAD

